

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

**IN RE: CAPACITORS ANTITRUST
LITIGATION**

MASTER FILE NO. 3:14-cv-03264-JD

MDL No. 17-md-0281-JD

**THIS DOCUMENT RELATES TO:
ALL INDIRECT PURCHASER ACTIONS**

**[PROPOSED] FINAL JUDGMENT OF
DISMISSAL WITH PREJUDICE AS TO
SOSHIN DEFENDANTS**

This matter has come before the Court to determine whether there is any cause why this Court should not enter Final Judgment as to Defendants Soshin Electric Co., Ltd., and Soshin Electronics of America, Inc. (together, “Soshin”). The Court, having reviewed the settlement agreement between Plaintiffs Michael Brooks, CAE Sound, Steve Wong, Toy-Knowlogy Inc., AGS Devices, Ltd., J&O Electronics, Nebraska Dynamics, Inc., Angstrom, Inc., MakersLED, In Home Tech Solutions, Inc., individually and on behalf of the Indirect Purchaser Class they seek to represent, on the one hand, and Soshin, on the other, dated June 30, 2017 (the “Settlement Agreement”); Indirect Purchasers’ Motion for Final Approval of Settlements with Defendants Hitachi Chemical and Soshin; the pleadings and other papers on file in this action; and the statements of counsel and the parties, including at the October 18, 2018 Fairness Hearing, hereby finds no just reason to delay the entry of Final Judgment under Federal Rule of Civil Procedure 54(b). Accordingly, the Court directs entry of Judgment, which shall constitute a final adjudication of the case on the merits as to Soshin in accordance with the terms of the Settlement Agreement.

Good cause appearing therefore:

IT IS HEREBY ORDERED, AJUDGED, AND DECREED THAT:

1. The Court has jurisdiction over the subject matter of this litigation, the Actions within this litigation, and the parties to the Settlement Agreements, including all members of the Settlement Class.

2. For purposes of this Judgment, except as otherwise set forth herein, the Court adopts and incorporates the definitions contained in the Settlement Agreement [ECF No. 1844-4] as though they were fully set forth in this Final Judgment. Specifically, “Class,” as defined in the Settlement Agreement, means:

All persons and entities in the United States who, during the period from January 1, 2002 to February 28, 2014, purchased one or more Capacitor(s) from a distributor (or from an entity other than a Defendant) that a Defendant or alleged co-conspirator manufactured. Excluded from the Class are Defendants; their parent companies, subsidiaries and Affiliates; any co-conspirators; Defendants’ attorneys

1 in this case; federal government entities and instrumentalities, states
2 and their subdivisions; all judges assigned to this case; all jurors in this
3 case; and all Persons who directly purchased Capacitors from
Defendants.

4 3. Those persons and entities identified in the list attached hereto as **Exhibit A** are
5 validly excluded from the Class. Such persons and entities are not included in or bound by this
6 Judgment. Such persons and entities are not entitled to any recovery of the settlement proceeds
7 obtained in connection with the Settlement Agreement.

8 4. The Court hereby dismisses on the merits and with prejudice IPPs' claims against
9 Soshin, with each party to bear their own costs and attorneys' fees, except as provided in the
10 Settlement Agreement.

11 5. All persons and entities who are Releasers under the terms of the Settlement
12 Agreement are hereby barred and enjoined from commencing, prosecuting, or continuing, either
13 directly or indirectly, any claim against the Releasees, as defined in the Settlement Agreement, in
14 this or any other jurisdiction arising out of, or related to, any of the Released Claims.

15 6. The Releasees are hereby and forever released from all Released Claims as defined
16 in the Settlement Agreement.

17 7. Without affecting the finality of this Judgment in any way, this Court hereby
18 retains continuing jurisdiction over

- 19 a. implementation of these settlements and any distribution to members of the
20 Settlement Class pursuant to further orders of this Court;
- 21 b. disposition of the Settlement Fund;
- 22 c. determining attorneys' fees, costs, expenses, interest and Class Representative
23 incentive awards;
- 24 d. the Action until Final Judgment contemplated hereby has become effective;
- 25 e. hearing and ruling on any matters relating to the plan of allocation of
26 settlement proceeds; and

1 f. all parties to the Action and Releasing Parties, for the purpose of enforcing and
2 administering the Settlement Agreement and the mutual releases and other
3 documents contemplated by, or executed in connection with the Agreement.

4 8. This document constitutes a final judgment and separate documents for purposes
5 of Federal Rule of Civil Procedure 58(a).

6 9. The Court finds that, pursuant to Federal Rules of Civil Procedure 54(a) and (b),
7 Final Judgment should be entered, and further finds that there is no just reason for delay in the
8 entry of Final Judgment, as to the parties to the Settlement Agreements. Accordingly, the Clerk is
9 hereby directed to enter Final Judgment forthwith.

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11 **IT IS SO ORDERED.**

12 Dated: October __, 2018

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15 Hon. James Donato
16 United States District Court Judge
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EXHIBIT A**REQUESTS FOR EXCLUSION FROM SOSHIN SETTLEMENT**

<u>Name</u>	<u>Exclusion Requested Timely</u>
Gayle L. Roberts	Yes
Peter Zdinak	Yes
LingoTeach Inc	Yes
Microsoft Mobile, Inc. and Microsoft Mobile Oy	Yes
Microsoft Corporation	Yes
Microsoft Corporation's Subsidiaries	Yes
Nokia Corporation (Finland)	Yes
Nokia Sales International Oy (Finland)	Yes
Nokia India Pvt. Ltd. (India)	Yes
OOO Nokia (Russia)	Yes
Nokia (China) Investment Co., Ltd. (China)	Yes
Nokia Telecommunications Ltd. (China)	Yes
Nokia Inc. (United States)	Yes
Nokia UK Limited (United Kingdom)	Yes
Nokia do Brasil Tecnologia Ltda (Brazil)	Yes
Nokia TMC Limited (South Korea)	Yes
Nokia (Thailand) Ltd. (Thailand)	Yes
Nokia Solutions and Networks B.V. (The Netherlands)	Yes
Nokia Solutions and Networks Oy (Finland)	Yes
Nokia Solutions and Networks US LLC (United States)	Yes
Nokia Solutions and Networks Japan Corp (Japan)	Yes
Nokia Solutions and Networks India Private Limited (India)	Yes
Nokia Solutions and Networks System Technology (Beijing) Co., Ltd (China)	Yes
Nokia Solutions and Networks Branch Operations Oy (Finland)	Yes
Nokia Solutions and Networks Korea Ltd (South Korea)	Yes
Nokia Solutions and Networks do Brasil Telecomunicações Ltda (Brazil)	Yes
Nokia Solutions and Networks Technology Service Co., Ltd (China)	Yes
HERE Holding Corporation (United States)	Yes
HERE Global B.V. (The Netherlands)	Yes
HERE Europe B.V. (The Netherlands)	Yes

**Final Judgment of Dismissal with Prejudice as to Approval of Settlement with Soshin Defendants;
Case No. 3:14-cv-03264-JD**

<u>Name</u>	<u>Exclusion Requested Timely</u>
HERE North America LLC (United States)	Yes
HERE Deutschland GmbH (Germany)	Yes
Nokia Finance International B.V. (The Netherlands)	Yes
Nokia GmbH (Germany)	Yes
Nokia Capitel Telecommunications Ltd. (China)	Yes
Dongguan Nokia Mobile Phones Company Ltd. (China)	Yes
Nokia Komarom Kft (Hungary)	Yes
Nokia Romania SRL (Romania)	Yes
Nokia Communications Equipment (Shanghai) Ltd (China)	Yes
Nokia (HK) Ltd (Hong Kong)	Yes
Nokia Mobile Phone Manufacturing (HK) Ltd (Hong Kong)	Yes
Nokia Mobile Communications KK (formerly Nokia Mobile Phone Japan)	Yes